

**AGENDA ITEM #14**

January 9, 2004

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Draft Annual Report  
*(For Public Hearing and Possible Commission Action)*

**Staff Recommendation:**

Review the draft annual report, accept public comments, and direct staff to make any necessary changes and submit the report to the Governor and the Legislature.

**Background:**

The Commission is required by State Law to submit an annual report to the Governor and the Legislature.

January 23, 2004

Honorable Arnold Schwarzenegger  
Governor of the State of California  
State Capitol  
Sacramento, CA 95814

Subject: 2003 Annual Report from the Delta Protection Commission

Dear Governor Schwarzenegger:

The Delta Protection Commission is a regional land use planning agency created by State legislation passed in 1992. Like the State as a whole, the Commission, its budget, and its role came under close scrutiny in 2003. The Commission has discussed its future at several meetings, working with the Secretary of Resources and local legislators.

The Commission feels strongly that the Delta Primary Zone is a critical resource area of the State of California. The Delta plays an important role in the State's agricultural economy, water-oriented and water-related recreation, and native and naturalized terrestrial and aquatic wildlife. The Delta is also the "hub" of the State's water supply system and is the location of the pumps for both the State and federal water projects.

The Delta Protection Commission creates a partnership between the residents and landowners of the Delta, local governments and special districts, and State and federal agencies. The Commission is committed to providing positive, timely, proactive input into policy and project development, design, and implementation. And the Commission has done this with a "shoestring budget", no General Funds, and a very small staff.

While the Commission's annual report shows that local government actions were consistent with the Commission's regional management plan, and that no major new projects or land acquisitions were approved in the Primary Zone in 2003, there has been a great deal of planning activity in and around the Primary Zone and projects approved on the boundary of the Primary Zone.

In the last few years, in addition to the creation of a new City of Oakley on the edge of the Primary Zone, three cities have expressed interest in expanding their city limits into the Delta Primary Zone. Three counties (Yolo, Sacramento, and Contra Costa) are undertaking major regional planning programs (Blueprint Project and Shaping Our Future). Several large-scale residential developments have been approved on the boundary of the Primary Zone including an entire island--Stewart Tract--now slated for development. A major acquisition of land in the City of Oakley was completed--the Dutch Slough site--and planning started for a major ecosystem restoration project.

The Commission also committed significant time and resources studying, evaluating, and discussing the mission, purpose, funding and membership of the Commission. Issues were first identified in the budget hearings held in March. The Legislative Analyst's Office prepared a report on the future of the Commission that stimulated further discussions in the budget process. In addition, the Commission sought input at its meetings, held several Committee meetings, and a special Commission meeting in October. The Senate Select Committee on Delta Resources held a hearing on the Commission in November. The Commission is slated to adopt recommendations to the Legislature at its January 2004 meeting.

The Commission is committed to working with you and the Legislature to find appropriate funding for the Commission's work, and to redefine the mission and role of the Commission in State government as necessary.

We look forward to working with you on these important issues in 2004.

Sincerely,

Patrick N. McCarty  
Chairman

**REPORT TO THE GOVERNOR AND THE LEGISLATURE  
ON THE ACTIVITIES OF THE  
DELTA PROTECTION COMMISSION**

**2003**

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**REPORT TO THE GOVERNOR AND THE LEGISLATURE  
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DELTA PROTECTION COMMISSION**

**2003**

**Executive Summary: The State of the Delta Primary Zone**

**State of the Delta Primary Zone:**

There were few changes in the Delta Primary Zone in 2003. There were no major land purchases, there were no new management plans approved for publicly owned land and no major projects were approved. Agriculture continues as the primary land use, although agriculture continues to suffer economically. Recreation continued at existing facilities; no new parks or marinas were approved. Fish and wildlife continue to utilize the habitat on water-covered areas and on the Delta's agricultural lands.

Concerns have been raised about long term protection of the resources of the Primary zone. In the last few years, in addition to the creation of a new City of Oakley on the edge of the Primary Zone, three cities have expressed interest in expanding their city limits into the Delta Primary Zone. Three counties (Yolo, Sacramento, and Contra Costa) are undertaking major regional planning programs (Blueprint Project and Shaping Our Future). Additional planning programs underway include SAFCA flood control planning that includes the Yolo Bypass, development of a management plan for the Fish and Game lands in the Yolo Bypass (12,000 acres)

**Activities in the Secondary Zone:**

Several large-scale residential developments have been approved on the boundary of the Primary Zone including an entire island--Stewart Tract--now slated for development. A major acquisition of land in the City of Oakley was completed--the Dutch Slough site--and planning started for a major ecosystem restoration project. Additional planning efforts in the Secondary Zone include: Revised Waterfront Plan for Cities of Sacramento and West Sacramento; Sacramento River Corridor Floodway Planning Forum; Freeport Intake Facility; new general plans for the Cities of Oakley and Elk Grove; revised general plans for Rio Vista, Pittsburg, and Antioch; and habitat conservation planning in Yolo County, Solano County and Contra Costa County. In addition, there are numerous projects and programs underway to carry out the CALFED vision described in the CALFED Record of Decision (August 2000) including: In-Delta Storage; North Delta Improvements Project; South Delta Improvements Project; New Fish Screening Facilities at the State and federal pumps; water quality improvement projects for Veale and Byron Tracts; expansion of the Los Vaqueros Reservoir (with intakes in the Primary Zone); preparation of the Delta Regional Ecosystem Restoration Implementation Plan; and preparation of the Delta Implementation Plan (or similar document).

### **Status of the Delta Protection Commission:**

The Commission and its mission and mandate were subjected to scrutiny in 2003, first as part of the budget process and later to investigate issues raised by the Legislative Analyst's Office (LAO). The Assembly Budget Subcommittee received and reviewed a report from the LAO that recommended that the Commission be eliminated because its mandated tasks--preparation and implementation of the regional plan--had been completed.

The Assembly Budget Subcommittee recommended that the Commission sunset after one additional year. A compromise was reached in the Joint Budget Committee, and the Commission received half its budget at the start of the fiscal year, and was to receive the second half of its budget after the Secretary of Resources prepared a report on the Commission and submitted that report to the Joint Budget Committee before December 30, 2003.

Between passage of the State's budget and the end of the calendar year, the State recalled the former Governor, elected a new Governor, and a new Secretary of Resources was appointed. However, the new Secretary prepared the required report and that report has been submitted to the Governor's office prior to submittal to the Joint Budget Committee. The Governor's office submitted the report to the Joint Budget Commission as required in the Budget Bill.

The Secretary's report offers specific suggestions as to how the Commission may be modified in its scope and membership to better protect the agricultural, environmental and recreational qualities of the Delta. The report recommends modifying membership to include specific seats for agricultural, environmental, and recreational interests and a seat to serve as a representative for various unincorporated and historically significant communities in the Delta. The report also recommends expanding the scope of the Commission's interest to include critical areas of the Secondary Zone, in order to protect the more sensitive resources of the Primary Zone from development pressures which will occur over time around its periphery. Finally, the report recommends that the regional Delta member of the California Bay-Delta Authority also serve on the Commission, to provide better communication between the two entities.

2003 became a year of introspection and self-evaluation for the Commission. The Commission and its role in the future was discussed at the March, May, July, September, October, and November meetings. The Commission appointed a special committee that met with staff several times to discuss follow-up issues. The Commission held a special meeting to discuss these issues in October. The Senate Select Committee on Delta Resources held a hearing on the Commission on November 12, 2003. The Commission is poised to submit comments to the Secretary of Resources and the Legislature after the January 2004 Commission meeting.

**Agriculture:**

Delta agriculture, like California's agriculture, is continuing in a period of economic difficulty. Commodity prices are low, and costs to farmers, such as health insurance and workers compensation insurance, continue to rise. The State did continue payments to local governments to ensure the Williamson Act contracts will continue; the payments had been slated for elimination during the budget development process.

There were no significant acquisitions of agricultural land in the Primary Zone by government agencies or non-profits, and there continue to be acquisitions of easements that would result in long-term protection of agricultural lands.

**Wildlife Habitat:**

No major wildlife habitat restoration projects were initiated or completed in 2003. Planning for the Dutch Slough project in the Secondary Zone in Oakley, Contra Costa County, began. The Commission was asked to participate in the Steering Committee for the Dutch Slough restoration project.

The Commission continues to actively participate in the Delta In Channel Island (DICI) Committee. The DICI Committee has received ecosystem restoration funds to test various "soft" techniques to protect and enhance the remnant berm islands of natural habitat, which also serve to protect the Delta's levees from erosion.

The Commission staff has provided information and assistance to the staff of the Department of Fish and Game that is preparing the Delta Regional Ecosystem Restoration Implementation Plan (DRERIP); Chapter 3, Land Use, was released in Spring, 2003. The DRERIP is slated to be completed at the end of 2004.

**Recreation:**

The Commission and its Recreation Citizens Advisory Committee have prepared and adopted an interim process for review of recreation improvements and enhancements for Proposed CALFED Projects. The Interim Process will allow for early comment and participation in the development of recreation that is part of CALFED projects.

The Commission received a commitment of funding from the Department of Boating and Waterways for preparation of a Delta Recreation Master Plan. Staff has been negotiating the details of a contract between the two agencies and will complete the contract shortly.

**Levees:**

The Commission is an active participant on the Delta Levees and Habitat Advisory Committee, a multi-agency and public group that meets monthly to address implementation of the Delta Levees Subvention (maintenance) Program administered by DWR.

The Commission also actively participates on the Bay Delta Public Advisory Committee's Delta Levees Subcommittee that meets monthly to address the levee program within the CALFED implementation program. The Commission, through the

Executive Director was asked to participate on the Steering Committee for the new CALFED study of Levee Risk Assessment. The first meetings of the Committee were held in the fourth quarter of 2003.

**CALFED:**

A new state agency, the California Bay-Delta Authority (CBDA), was created to replace CALFED. The new agency includes six state agencies, six federal agencies, five regional representatives, one representative of the Bay Delta Public Advisory Committee, one member appointed by Senate Pro Tem and one appointed by Speaker of the Assembly. The CBDA will coordinate actions of the member agencies and assist in implementation of the program outlined in the Record of Decision. The CBDA held its first meeting in June 2003. Former State Senator Patrick Johnston was appointed to serve as the Delta regional representative on the new CBDA.

The Commission agreed to sign a new memorandum of understanding creating an Agency Coordination Team to continue communication between State and federal agencies, including those agencies not named to the CBDA.

A new CBDA Delta coordinator was named, Ron Ott, who attended every Commission meeting and gave an update to the Commission on CBDA programs and projects.



## **ANNUAL REPORT**

Section 29780 of the Delta Protection Act of 1992 (Act) requires the Delta Protection Commission (Commission) to submit an annual report to the Governor and the Legislature describing the progress in achieving the objectives of the Act. The annual report is to include: an evaluation of the effectiveness of the regional plan in preserving agricultural lands, restoring Delta habitat, improving levee protection and water quality, providing increased public access and recreational opportunities, and undertaking other functions prescribed in the Act; and update of the regional plan using baseline conditions set forth in the regional plan and the status of environmental thresholds established by the Commission in the original regional plan.

### **Status of the Delta Protection Commission:**

The Commission was created by the State Legislature in 1992 with the goal of developing regional policies for the Delta to protect and enhance the existing land uses in the Primary Zone: agriculture, wildlife habitat, and recreation. Working closely with local communities and local governments, the Commission adopted its regional plan in 1995. Local government incorporation of the policies and one regulation in the Plan was completed in 1998.

In 2000, the Commission became a permanent State agency.

The policies in the Plan were adopted as regulations in 2000 and approved by Office of Administrative Law on May 8, 2001.

The Commission met seven times in 2003: January, March, May, July, September, October, and November.

The Commission was active in an advisory capacity monitoring the State/federal CBDA process, and its proposed impact to land uses in the Delta Primary Zone. The Commission directed staff to participate on the Agency Coordination Team, groups convened to participate in the development of specific CBDA projects, and various Subcommittees of the Bay Delta Public Advisory Committee.

### **Recap of 2003 Commission Meetings:**

*(Agendas, staff reports and minutes of Commission meetings are on the Commission's website:*

[www.delta.ca.gov](http://www.delta.ca.gov))

- **January:** Adopted annual report; accepted report on acquisitions in the Delta Primary Zone; discussed implementation of Strategic Plan; directed staff to draft a letter regarding the unique values of the San Rafael Rock Quarry to maintenance of Delta levees.
- **March:** Discussed the proposed Freeport Regional Water Project; discussed SB 86 [a bill to create a Delta Conservancy Program]; adopted an Interim Process for Review of Recreation Improvements and Enhancements for Proposed CBDA Projects; elected officers.

- **May:** Discussed a proposed non-profit group, Friends of the Delta, interested in managing land purchased with public funds but not currently managed (e.g. Liberty Island); discussed "Term 91" which affects water contracts between State Water Board and South Delta farmers; directed staff to apply for a grant to design and implement a Deltawide monitoring plan to meet requirements of the Central Valley Regional Water Quality Control Board's Adopted Waiver for agricultural discharges; discussed modification to the Commission's Records Retention Policy.
- **July:** Discussed the proposed expansion of Los Vaqueros Reservoir which includes several intakes in the Delta Primary Zone; discussed language in the Budget Bill and the report needed to address issues about the Commission; adopted a budget and work plan for FY 03-04; adopted position on pending State legislation.
- **September:** Directed staff to sign a Memorandum of Understanding creating a CALFED Agency Coordination Team, participate on the ACT and report back on the ACT in January; discussed the proposed second habitat restoration project on Department of Fish and Game owned land at the tip of Decker Island; received a briefing on the North Delta Improvements Project; discussed the Commission's funding and the future role of the Commission.
- **October:** Held a special meeting to discuss future options for the Commission and how and when to forward recommendations to the Secretary for Resources and the Legislature.
- **November:** Directed staff to send a letter to CBDA Bay Delta Public Advisory Committee suggesting that one member represent recreation interests; accepted staff research and report on implementation of the CBDA Ecosystem Restoration Program in the Delta; discussed the outcomes of the Senate Select Committee on Delta Resources hearing held on November 12, 2003; discussed the Central Valley Project-State Water Project Integration Proposal; adopted an interim Environmental Justice Policy and directed staff to post on the web page for public review and comment until May 2004.

#### **Status of the Land Use and Resource Management Plan:**

The Plan is available in hard copy and on the Commission's web site ([www.delta.ca.gov](http://www.delta.ca.gov)). The policies in the Plan have been adopted as regulations. There were no amendments to the Plan in 2003

#### **Effectiveness of the Plan:**

- **Preserving Agricultural Land in the Primary Zone**  
There were no actions of local government appealed to the Commission in 2003. Local government actions (see attached list) were monitored throughout the year in the pending projects memo which is updated monthly.

An easement to protect agricultural land were purchased by The Nature Conservancy. That easement covers 649 acres and is located east of Mokelumne River in San Joaquin County.

The Commission and its Agriculture Committee have been working with the American Farmland Trust (AFT) to study Delta agriculture with the goal of long-term protection and enhancement of this key Delta land use. A work plan has been prepared and adopted, an advisory committee selected and one public outreach meeting held. Unfortunately, AFT is undergoing financial difficulties and is currently evaluating new funding sources to carry out the planning process.

The Commission discussed issues associated with Term 91 of water contracts between Delta farmers and the State Water Resources Control Board. Actions by the State Board could restrict access of Delta farmers to waters in Delta channels during periods of low flow in the Delta, resulting in inability to farm certain Delta parcels. Results of an Administrative Civil Liability Complaint are still pending.

The Agriculture Committee considered and the Commission agendized consideration of proposed funding cuts to the Williamson Act program, a State program to protect privately owned agricultural land by providing offsetting funds to Counties that limit taxes on certain ag lands. The Budget was amended to retain the funds in support of the Williamson Act program.

The Commission actively participates on the CALFED Bay Delta Public Advisory Committee's Working Landscapes Subcommittee. The Subcommittee is dedicated to enhancing private land management to meet CALFED program goals including enhancement of habitat. The Working Landscapes Committee is developing various pilot programs and best management practices and is using the Delta region as its starting point for program development.

The application for federal funding for staff support for the proposed Delta Resource Conservation and Development (RC&D) Council was not funded in the 2003 funding cycle. The RC&D Council did receive \$10,000 in funding to allow the Council to complete the formation process and to proceed with implementation of its program. The purpose of RC&D Council and program is to support agriculture and the resources of the Delta region.

- **Conversion of Agricultural Land in the Primary Zone to Habitat**

No agricultural lands in the Primary Zone were converted to habitat in 2003.

Mandeville Island, San Joaquin County, has managed much of the land on the Island for seasonal migratory waterfowl habitat. In 2002, the owners applied to the federal Wetland Reserve Program (WRP) to permanently set aside those lands for habitat and to commit to cease commercial agricultural practices and receive compensation from the federal government. In 2003, the County acted to subdivide the lands on Mandeville Island to delineate the 3,067 acres to enter the WRP. The remainder of the 5,300-acre island remains in agriculture.

- **Conversion of Agricultural Lands in the Primary Zone to Other Uses**

The Commission continued to monitor proposed projects in and around the Delta to determine if those projects would result in conversion of agricultural land in the Primary Zone to other uses. Minimal agricultural lands in the Primary Zone were designated for conversion to other uses. Of those conversions, several were for agricultural support facilities, such as wineries (Grand Island Winery, Gustafson Winery). The approved Northwest Interceptor, a major sewer pipeline to connect Natomas and West Sacramento to the existing treatment plant in Elk Grove will be located under agricultural lands in the Primary Zone in Yolo County. Some of those lands will return to agriculture, but some lands will be lost to access points and pumping facilities.

- **Restoring Delta Habitat**

Planning for the Dutch Slough project in the Secondary Zone in Oakley, Contra Costa County, began. The Commission was asked to participate in the Steering Committee for the Dutch Slough restoration project. The Commission had expressed concern about the interim management of the project, and sent comments to the Department of Water Resources. The Department responded that the site would remain in agriculture throughout the planning period, that the levees would be maintained, and that recreation and education would be a part of the restoration project.

The Commission continues to actively participate in the Delta In-Channel Island (DICI) Committee. The DICI Committee has received ecosystem restoration funds to test various "soft" techniques to protect and enhance the remnant berm islands of natural habitat.

The Commission reviewed and provided comments on several applications for ecosystem restoration grants in the Legal Delta including: the Pacific Flyway Center Initial Planning (Yolo Bypass); Big Break and Marsh Creek Water Quality and Habitat Restoration Program (Contra Costa County); and Restoring Ecosystem Integrity in the Northwest Delta Phase II (Solano County).

The Commission staff has provided information and assistance to the staff of the Department of Fish and Game that is preparing the Delta Regional Ecosystem Restoration Implementation Plan (DRERIP). Chapter 3, Land Use, was released in January 2003. The DRERIP is slated to be completed at the end of 2004.

Due to funding shortfalls, CBDA has not maintained the Ecosystem Restoration Projects Tracking Memo. The Commission has maintained the Tracking Memo for projects located in the Legal Delta. The latest update, released in September, includes three directed action projects approved by CBDA in August; these applications were part of the 2002 grant application cycle.

The Commission discussed and accepted a CBDA Ecosystem Restoration Targets memo which describes the targets identified in the Record of Decision for habitat restoration in the Delta and indicates the status of meeting those targets. The

Commission will use the information in the memo to evaluate new applications for CBDA ecosystem restoration grants.

The Commission agreed to participate on the CBDA Non-native Invasive Species Advisory Council set up to coordinate Non-native Invasive Species programs and activities with an emphasis on regional solutions.

The Commission discussed the proposed second phase of tidal habitat restoration on Department of Fish and Game property on the tip of Decker Island. Funding for the restoration is from the Delta Levees Program administered by Department of Water Resources.

The Commission discussed and expressed general support for the creation of a locally based nonprofit group, currently called "Friends of the Delta", which seeks permission to manage lands acquired with public funds which are currently not being managed. One example is Liberty Island, which was acquired with a CALFED grant for inclusion in the proposed North Delta National Wildlife Refuge. The Refuge has not been created, so the lands are held by Trust for Public Lands, with no active management.

- **Protecting Recreational Opportunities**

The Commission and its Recreation Citizens Advisory Committee have prepared and adopted an interim process for review of recreation improvements and enhancements for proposed CBDA Projects. The interim process will allow for early comment and participation in the development of recreation that is part of CBDA projects.

The Commission received a commitment of funding from the Department of Boating and Waterways for preparation of a Delta Recreation Master Plan. Staff has been negotiating the details of a contract between the two agencies and will complete the contract shortly.

The Commission sent a letter to the CALFED Bay Delta Public Advisory Committee recommending that one member of the BDPAC represent recreation interests. None of the current 30 members is affiliated with any recreation interests.

- **Improving Levee Protection**

The Commission is an active participant on the Delta Levees and Habitat Advisory Committee, a multi-agency and public group that meets monthly to address implementation of the Delta Levees Subvention (maintenance) Program.

The Commission also actively participates on the Bay Delta Public Advisory Committee's Delta Levees Subcommittee that also meets monthly to address the levee program within the CALFED implementation program. The Commission, through the Executive Director was asked to participate on the Steering Committee for the new CALFED study of Levee Risk Assessment. First meetings of the Committee were held in the fourth quarter of 2003.

The Commission sent a letter to various parties to educate them about the value of the San Rafael Rock Quarry and its unique role in the construction and long term maintenance of the Delta levees. The Quarry is the subject of a lawsuit brought by the Attorney General, Marin County, and neighboring landowners on nuisance issues and issues associated with compliance with the County's use permit. The outcome of the lawsuit is still pending.

- **Improving Water Quality**

The Commission continued to monitor the planning process for resolving issues associated with the San Luis Drain, a federal facility designed to convey and dispose of subsurface irrigation return flows from the San Luis service area of the Central Valley Project. One option under consideration is release of the return flows into the Delta.

The Commission applied for a grant from the State Water Resources Control Board to design and implement a Delta wide water quality monitoring plan; the grant application was not selected for funding.

**Enhanced Flood Protection:**

The Commission is an active participant on the Delta Levees and Habitat Advisory Committee, a multi-agency and public group that meets monthly to address implementation of the Delta Levees Subvention (maintenance) Program.

The Commission also actively participates on the Bay Delta Public Advisory Committee's Delta Levees Subcommittee that also meets monthly to address the levee program within the CALFED implementation program. The Commission, through the Executive Director, was asked to participate on the Steering Committee for the new CALFED study of Levee Risk Assessment. First meetings of the Committee were held in the fourth quarter of 2003.

The Commission participated in the planning process for the Lower Sacramento River Regional Project, sponsored by the Sacramento Area Flood Control Agency.

The Commission participated on the Advisory Committee for the update of the Department of Water Resource's California Water Plan (Bulletin 160).

The Commission continues to participate on the Advisory Committees for the North Delta Improvements Project (Department of Water Resources) which is being designed to alleviate local flooding in the north east Delta, downstream of the confluence of the Cosumnes and Mokelumne Rivers.

**CALFED/CBDA**

A new state agency, the California Bay-Delta Authority (CBDA), was created to replace CALFED. The new agency includes six state agencies, six federal agencies, five regional representatives, one representative of the Bay Delta Public Advisory Committee, one

member appointed by Senate Pro Tem and one appointed by Speaker of the Assembly. The CBDA will coordinate actions of the member agencies and assist in implementation of the program outlined in the Record of Decision. The CBDA held its first meeting in June 2003.

The Commission agreed to sign a new memorandum of understanding creating an Agency Coordination Team to continue communication between State and federal agencies including those agencies not named to the CBDA.

A new Delta coordinator was named, Ron Ott, who attended every Commission meeting and gave an update to the Commission on CALFED programs and projects.

The Commission sent a letter to the Governor describing the knowledge, experience, and qualifications for a Delta regional representative to sit on the new CBDA. Former State Senator Patrick Johnston was appointed to serve as the Delta regional representative.

The Commission continued to participate in the CALFED process by attending meetings of the Authority, the BDPAC and its Subcommittees.

#### **Appeal of Local Government Decisions:**

No local government actions were appealed to the Commission in 2003.

#### **Legal Issues:**

The Commission's Executive Director was named in a lawsuit filed by California Farm Bureau Federation regarding alleged inadequacies of the Programmatic Environmental Impact Report/Environmental Impact Study for the CALFED Program (August 2000). The Commission is being represented by the Attorney General's Office.

#### **Legislation:**

There was no legislation that directly impacted or named the Delta Protection Commission in 2003.

The Commission and its Legislation Committee did monitor legislation that could impact the Delta and its land uses. The Commission took positions on four pieces of legislation, and forwarded comment letters to the Legislature and the Governor. The Commission supported the following legislation: AB66, Adopt-a-Riverway Program; AB 105, Agriculture and Water Omnibus Act of 2003; AB 1014, Vessel Abandonment; and AB 1405, California Watershed Protection and Restoration Act.

The Commission discussed SB 86, Delta Conservancy Legislation, proposed by Senator Machado. The draft legislation was amended in response to Commission comments submitted on legislation proposed in 2002. However, the author pursued other legislative matters in 2003, and the bill did not advance during the last legislative session.

**Commission Officers:**

Patrick N. McCarty and Robert K. Ferguson serve as Chair and Vice-Chair, respectively.

**Compensation:**

The Commissioners receive no compensation for their work on the Commission.

**Committees:**

Committee meetings are fully noticed and are open to all Commissioners and members of the public. Committees meet as needed:

- **Budget, Finance and Administration:** Chairman McCarty, Commissioners Calone, Shaffer, Sanders, and Ferguson
- **CALFED Committee:** Commissioners Wilson, van Loben Sels, Curtis, Coglianese, Shaffer, Nottoli, and Curry
- **Legislation Committee:** Commissioners Coglianese, Gleason, and Johnson
- **Agriculture Committee:** Vice Chair Ferguson and Commissioners Nottoli, Shaffer, Wilson, Curtis, and van Loben Sels.

**Administration:**

The Commission's office is located in Walnut Grove, in Sacramento County. Margit Aramburu is the Executive Director, Lori Clamurro is Environmental Scientist, and Sheila Singleton is Staff Services Analyst. Karen Morais served as Staff Services Analyst until March, and as a retired annuitant until June 30.

Dan Siegel, Supervising Deputy Attorney General, with assistance from Christine Sproul, provided legal support for the Commission.

Administrative, budget, and personnel services of the Commission are provided by State Lands Commission through a contractual arrangement.

The annual report covers portions of FY 02-03 and FY 03-04. In each fiscal year, the Commission received funds from the environmental License Plate Fund and from the Harbors and Watercraft Revolving Fund. The total funds for FY 02-03 were \$304,000 and for FY 03-04 are \$307,000, minus a \$12,000 mid-year reduction for a revised budget of \$289,000. The Commission's total expenses, including pro rata payments to the Controller's Office, were approximately \$26,000 per month.



## 2003 COMMISSION ROSTER

<b>Contra Costa County Board of Supervisors:</b>	<i>Supervisor Federal Glover</i>
<b>Sacramento County Board of Supervisors:</b>	<i>Supervisor Don Nottoli</i>
<b>San Joaquin County Board of Supervisors:</b>	<i>Supervisor Leroy Ornellas</i>
<b>Solano County Board of Supervisors:</b>	<i>Supervisor Ruth Forney</i>
<b>Yolo County Board of Supervisors:</b>	<i>Supervisor Mike McGowan</i>
<b>Sacramento and Yolo County Cities:</b>	<i>Mayor Christopher Cabaldon, City of West Sacramento</i>
<b>San Joaquin County Cities:</b>	<i>Councilmember Augie Beltran, City of Lathrop</i>
<b>Contra Costa and Solano County Cities:</b>	<i>Mayor Marci Coglianese, City of Rio Vista</i>
<b>North Delta Reclamation Districts:</b>	<i>Daniel Wilson Karel "Topper" van Loben Sels</i>
<b>West Delta Reclamation Districts:</b>	<i>Robert Calone</i>
<b>Central Delta Reclamation Districts:</b>	<i>Patrick N. McCarty, Chair</i>
<b>South Delta Reclamation Districts:</b>	<i>Robert K. Ferguson, Vice-Chair</i>
<b>Department of Parks and Recreation:</b>	<i>Ron Brean, Chief, Northern Division Kurt Sturm, Chief, Northern Division</i>
<b>Department of Fish and Game:</b>	<i>Banky Curtis, Regional Manager</i>
<b>Department of Food and Agriculture:</b>	<i>Steve Shaffer, Director, Agricultural and Environmental Policy</i>
<b>State Lands Commission:</b>	<i>Dwight Sanders, Chief, Division of Environmental Planning and Management</i>
<b>Department of Boating and Waterways:</b>	<i>Bill Curry, Senior Civil Engineer, Boating Facilities Division David Johnson, Deputy Director</i>
<b>Department of Water Resources:</b>	<i>Steve Macaulay, Chief Deputy Director Katherine Kelly, Chief, Bay-Delta Office</i>

### Projects Approved in the Delta Primary Zone in 2003

[\* Project approved by local government and appealable to the Commission]

Project Description	Applicant	Project Location
<b>Multi-County</b>		
<b>M-99-2</b> Sacramento and San Joaquin River Basin Comprehensive Study [master plan for flood damage reduction and ecosystem restoration]	Reclamation Board Corps of Engineers	Yolo Bypass, Sacramento River to Rio Vista, San Joaquin River to Stockton
<b>M-00-3*</b> Interceptor System Master Plan [location and size of regional sewer pipelines]	Sacramento Regional County Sanitation District	City of Sacramento, western Sacramento County, City of West Sacramento, and eastern Yolo County
<b>M-02-7</b> Rio Vista Natural Gas Pipeline [8 mile long pipeline]	Padre Associates	Brannan Island (Sacramento County), under Sacramento River to Montezuma Hills (Solano County)
<b>M-02-11</b> Lower Northwest Interceptor [20 ft in diameter sewer pipeline]	Sacramento Regional County Sanitation District	North Natomas, through West Sacramento and Yolo County, under Sacramento River to existing treatment plant
<b>M-03-1</b> Regulation of Discharges from Irrigated Lands [10 year program to regulate discharges from irrigated lands]	Central Valley Regional Water Quality Control Board	Central Valley wide
<b>M-03-5</b> Sustainable Restoration Technologies [biotechnical erosion control and establish native habitat on up to 20,000 linear feet of river bank]	Hart Restoration	Georgiana Slough, Steamboat Slough, Sutter Slough, Miner Slough, Sacramento River near Courtland and Andrus Island and below Rio Vista (Sacramento and Solano Counties)
<b>M-03-7</b> Dredge Disposal on Dry Land [amend General Order to allow disposal on dry land]	Corps of Engineers Port of Stockton Port of Sacramento	Sherman Island (Sacramento County)

<b>M-03-6</b> Dredge Disposal on Dry Land [amend WDR 5-01-115 to add additional disposal sites]	Corps of Engineers Department of Water Resources Port of Stockton	Sherman Island (Sacramento County) and Bradford Island (Contra Costa County)
<b>Contra Costa County</b>		
<b>C-99-2</b> Habitat Restoration Project [create habitat in 45 acres of water-covered areas]	Department of Parks and Recreation Department of Water Resources	Franks Tract
<b>C-02-2</b> Renewal of NPDES [discharge 15 mgd of treated industrial wastewater]	Gaylord Container/Antioch Paper and Pulp Mill	Wilbur Avenue, Antioch, San Joaquin River
<b>C-02-6*</b> Subdivision [58 acres into 40 acre and 18 acre parcels in A-2 zone]	Baldocchi	3921 Delta Road, Knightsen Area
<b>C-02-9*</b> Delete A-1 Zone/ Light Agriculture [eliminate zone; no properties currently zoned A-1]	Contra Costa County	Countywide
<b>C-03-4*</b> Subdivision [25 acres into 2 12.5 acre parcels in 10 acre minimum zone]	Gleiden	Knightsen Area
<b>C-03-11*</b> Abatement [39 residential structures and docks]	Contra Costa County	Salisbury Island, east of Clifton Court Forebay and west of Union Island
<b>C-03-12</b> Natural Gas Well	Ironhouse Sanitary District	Jersey Island
<b>C-03-14</b> Wastewater Treatment Plant Upgrade [4-6 greenhouse structures to dry biosolids and new 14 inch in diameter pipeline to new outfall 100 feet into channel of Old River]	Discovery Bay	At existing treatment plant and Old River (Primary Zone)

<b>C-03-16</b> Dry Boat Storage [153 boat storage at existing marina]	Caprio	Orwood Resort
<b>SACRAMENTO COUNTY</b>		
<b>Sac-00-5*</b> Sphere of Influence Revision Study [study annexation of land in Primary Zone; City not pursuing annexation]	City of Sacramento	South of Freeport, west of I-5, east of Sacramento River, north of Hood-Franklin Road
<b>Sac-02-4</b> General Plan [Includes area in Primary Zone in "Planning Area"]	City of Elk Grove	South of Regional Treatment Plan, west of I-5, east of Sacramento River, north of Hood-Franklin Road
<b>Sac-02-5*</b> Subdivision [217.37 acre parcel into 6.2 acre (existing house) and 211.17 acres and convey development rights to 131.17 acres in Ag-80 zone]	McDowell	15265 Poverty Road, Grand Island
<b>Sac-02-7*</b> Gustafson Winery [winery and tasting room in 4,000 square foot building on 100 acre parcel in AG-40 zone]	Gustafson	15511 Isleton Road, Andrus Island
<b>Sac-02-8*</b> Grand Island Winery [8,400 sf retail, 8,400 event space and 37,000 sf processing on 129 acre parcel zoned AG-20 and AG-80]	Salman	North tip of Grand Island
<b>Sac-02-12*</b> Walnut Grove Wastewater Treatment Plant Permit Renewal [one year to study options-outfall into Sacramento River or pipeline to regional treatment plan; includes wastewater from Locke]	Sacramento Wastewater Treatment Plant	Walnut Grove

<b>Sac-03-5</b> Levee Maintenance [reslope and place riprap]	Department of Water Resources/Maintenance Area 9	Freeport Bridge to Hood
<b>Sac-03-8*</b> Courtland Wastewater Treatment Facility Cease and Desist Order [must correct by 3/30/07]	Sacramento CSD #1	Courtland
<b>Sac-03-10*</b> Lot Variances [allow four lots of approx 10 ac in AG-80 zone]	Dierssen	West side of Sherman Island East Levee Road
<b>Sac-03-15</b> Placement of Dredge Material on Dry Land for Reuse on Delta Levees [up to 100,000 cu yd per dredging event]	RD 341	Sherman Island- McCormack Pit and Scour Lake I (sites owned by DWR)
<b>Sac-03-16</b> Maintenance Dredging [15,000 cu yd; reuse as fill material]	Korth's Pirate Lair	Southern end of Brannan Island
<b>Sac-03-17*</b> Swainson's Hawk Mitigation Ordinance Amendment [increase fee to \$2,500 per acre, add O&M fee of \$333 per acre, expand scope and extend for three years]	Sacramento County	Countywide
<b>SAN JOAQUIN COUNTY</b>		
<b>SJ-02-11*</b> Dry Boat Storage [116 boat storage in buildings on 8 acres]	Jacobs	Highway 12 @ Glasscock Road, near Potato Slough Road
<b>SJ-03-4*</b> Lot Line Adjustment [adjustments on 7 parcels to sell wetland reserve program easement, totals 4,545 acres]	Tuscany Research Institute	Mandeville Island
<b>SJ-03-5</b> Emergency Pump Station	RD 684	Lower Roberts Island, Turner Cut

<b>SOLANO COUNTY</b>		
<b>SO-02-4*</b> Park and Recreation Plan Update [update of 1983 Park and Recreation Master Plan]	Solano County	Countywide
<b>SO-03-2</b> Habitat Restoration [remove 270,000 cu yd sand for reuse on levees, create 10.6 acres tidal habitat]	Department of Fish and Game Department of Water Resources	Tip of Decker Island
<b>YOLO COUNTY</b>		
<b>Y-03-2*</b> Lot Line Adjustment [change 1.6, 20, and 41.34 acres parcels to 3.47, 23, and 37 acres in A-1 zone]	Correa	53757 South River Road, Clarksburg Area
<b>Y-03-5*</b> Subdivision [12.4 acre parcel into four lots (2.28 to 5.69 acres) including 100-300 ft buffer to apple orchard]	Carvalho	South side of Netherlands Road, Clarksburg

**Lands Acquired in Fee Title by Government Agencies or Nonprofits in 2003**

<b>Location</b>	<b>Acquiring Entity</b>	<b>Acres</b>
Stone Lakes National Wildlife Area, Sacramento County	U.S. Fish and Wildlife Service	71 acres (mitigation site donated to the Refuge)